

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) 4:11CR3141

)

Plaintiff)

v.)

**MEMORANDUM
AND ORDER**

CARLOS OJEDA ACOSTA,)

)

Defendant.)

Defendant has filed an unsigned¹ notice of appeal (Filing [74](#)) and has not submitted the required appeal fee of \$505.00 or filed a motion to proceed in forma pauperis (“IFP”) on appeal. Defendant has not been determined to be financially unable to obtain an adequate defense in this criminal case, and therefore is not entitled to proceed IFP on appeal without express authorization. Accordingly, in response to the Clerk of Court’s memo (Filing [76](#)) requesting instructions with regard to processing the appeal,

IT IS ORDERED that:

- 1) Defendant, within 15 days from the date of this order, shall file with the Clerk of the district court either the appeal fee of \$505.00 or, if appropriate, a motion to proceed in forma pauperis on appeal, with supporting affidavit as required by Fed. R. App. P. 24(a)(1); and
- 2) If Defendant does not comply with the aforesaid filing requirement, the Clerk shall send a copy of this order and of the notice of appeal to the Clerk of the United States Court of Appeals for the Eighth Circuit pursuant to Fed. R. App. P. 24(a)(4)(C).

¹In response to the defendant’s unsigned Notice of Appeal, the Clerk of Court has filed a Text Notice of Deficiency (Filing 75) directing the defendant to sign the document within 15 days, or the notice may be stricken.

DATED this 16th day of May, 2017.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge